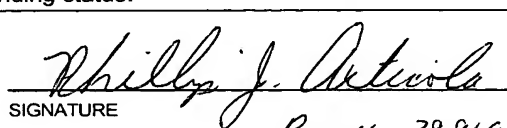




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|--|--|---|--|--|--|
| FORM PTO-1390 (Modified) (REV 5-93) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 084335-0155 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | | |
| | | | | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/031,589 | |
| INTERNATIONAL APPLICATION NO. PCT/JP00/04895 | | INTERNATIONAL FILING DATE 07/21/2000 | | PRIORITY DATE CLAIMED 07/23/1999 | |
| TITLE OF INVENTION FULL LENGTH cDNA CLONES AND PROTEINS ENCODED THEREBY | | | | | |
| APPLICANT(S) FOR DO/EO/US Toshio OTA, Takao ISOGAI, Tetsuo NISHIKAWA, and Yuri HIO | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| <p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371:</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>11. <input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27.</p> | | | | | |
| Items 12. to 17. below concern other document(s) or information included: | | | | | |
| <p>12. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 and Form PTO SB/08.</p> <p>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>14. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input checked="" type="checkbox"/> Other items or information: Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 page); Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821-1.825 (2 pages); Sequence Listing (18 pages); Computer Readable Format(CRF) of Sequence Listing; Petition for Extension of Time (1 page); Return copy of Notification of Missing Requirements (2 pages); Copy of International Search Report (5 pages).</p> | | | | | |

Rec'd PCT/PTO 01 JUL 2002

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|--|--------------|---|--|---|----------|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50) 10/031,589 | | INTERNATIONAL APPLICATION NO. PCT/JP00/04895 | | ATTORNEY'S DOCKET NUMBER 084335-0155 | |
| 18. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS | |
| Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....\$890.00 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$710.00 | | | | | |
| No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00 | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$0.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e)) | | | | \$130.00 | |
| Claims | Number Filed | Included in Basic Fee | Extra Claims | Rate | |
| Total Claims | 0 | 20 | 0 | \$18.00 | \$0.00 |
| Independent Claims | 0 | 3 | 0 | \$84.00 | \$0.00 |
| Multiple dependent claim(s) (if applicable) | | | | \$280.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$130.00 | |
| Reduction by 1/2 for filing by small entity, if applicable. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$130.00 | |
| Petition for One (1) Month Extension of Time. | | | | + | \$110.00 |
| TOTAL NATIONAL FEE = | | | | \$240.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$240.00 | |
| 07/05/2002 GFREY1 0000062 10031589 | | | | Amount to be: | |
| 01 FC:154 130.00 | | | | refunded \$ | |
| | | | | charged \$ | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$240.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| Foley & Lardner Customer Number: 22428 | | |  SIGNATURE Reg. No. 38,819 | | |
|  22428 | | | NAME/STEPHEN B. MAEBIUS  REGISTRATION NUMBER 35,264 | | |
| PATENT TRADEMARK OFFICE | | | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Toshio OTA et al.
Title: FULL LENGTH cDNA CLONES AND
PROTEINS ENCODED THEREBY
Appl. No.: 10/031,589
Filing Date: 07/01/2002
Examiner: Unassigned
Art Unit: Unassigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements mailed on March 29, 2002, enclosed are copies of the Sequence Listing and Statement to Support Filing and Submission in accordance with 37 C.F.R. §§ 1.821-1.825. Also enclosed is a diskette containing the Sequence Listing in computer readable form.

Applicants respectfully request examination of the instant application on the merits in due course.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 1, 2002

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By

Phillip J. Artis

Reg. No.
38,819

for / Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264



UNITED STATES PATENT AND TRADEMARK OFFICE

SBM

 Commissioner for Patents, Box 4001
 United States Patent and Trademark Office
 Washington, D.C. 20230
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/031,589 | Toshio OTA | 084335-0155 |

 22428
 FOLEY AND LARDNER
 SUITE 500
 3000 K STREET NW
 WASHINGTON, DC 20007

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| INTERNATIONAL APPLICATION NO. |
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PCT/JP00/04895

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|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 07/21/2000 | 07/23/1999 |

CONFIRMATION NO. 6330

371 FORMALITIES LETTER



OC000000007704350

Date Mailed: 03/29/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

• The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

• For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/031,589 | PCT/JP00/04895 | 084335-0155 |